



Prince announces retirement from OHSP

After a 42-year career in public safety, the last 18 years as Director of the Michigan Office of Highway Safety Planning (OHSP), Michael Prince has announced his retirement from state service effective January 1, 2022.

Mr. Prince was appointed the sixth executive director of the OHSP on June 23, 2003. As Executive Director of the OHSP, he served as the designated Governor's Highway Safety Representative for Governors Whitmer, Snyder, and Granholm and has chaired the Governor's Traffic Safety Advisory Commission (GTSAC) since June of 2011. He was a standing member of the Michigan Truck Safety Commission (MTSC) and the Governor's Highway Safety Association (GHSA), where he served on the Federal Relations Committee.

Prince previously served the Michigan State Police (MSP) as Public Affairs Director (2001-2003), Director of the Hazardous

Materials Training Center (1999-2001), and as Public and Governmental Affairs Officer for the Emergency Management and Homeland Security Division (1996-1999). His career with the department began with the OHSP in 1990, where he worked as a program coordinator in the areas of community traffic safety, police traffic services, impaired driving programs, and the Secondary Road Patrol Program.

Prior to entering state service, Prince spent ten years as a police officer and community services coordinator for the Lansing Township, Eaton Rapids, and Dewitt Township Police Departments. He holds a Bachelor of Arts degree from Spring Arbor University in Human Resource Management. He and his wife, Deborah, live in Clinton County and have three children, Robert (23), Benjamin (21), and Madeline (19).

OHSP's Alicia Sledge appointed to EMS council

Alicia Sledge, Program Section Manager for the OHSP, was recently appointed to the National EMS Advisory Council (NEMSAC).

U.S. Secretary of Transportation Pete Buttigieg in October appointed Sledge to serve on the council, whose members provide advice and recom-

mendations regarding EMS to the National Highway Traffic Safety Administration (NHTSA) and the Federal Interagency Committee on EMS.



"Congratulation to Alicia on this well-deserved appointment,' said Michael L. Prince, OHSP director. "We should be very proud that one of our own is among this prestigious group of professionals. Alicia was one of more than 170 applicants who applied for 15 positions on NEMSAC.

"I know she will be a great representative for state highway safety offices."

The NEMSAC membership consists of 25 members of the EMS community who are appointed for two-year terms, and each may serve up to two terms.

Sledge has more than 22 years of experience in federal traffic safety grant oversight, highway safety strategic planning, and project coordination. She has worked on several projects related to the Michigan EMS Information System (MI-EMSIS), including its development





Webb named Officer of the Year

WASHTENAW COUNTY SHERIFF'S DEPUTY IS DRUG RECOGNITION EXPERT

Brian Webb, a deputy in the traffic enforcement unit of the Washtenaw County Sheriff's Office, was recently named Officer of the Year by the Police Officers Association of Michigan (POAM).

Deputy Webb, a Drug Recognition Expert (DRE) for the department, was honored in a ceremony at the annual POAM meeting held in Grand Rapids.

In 2012, Webb attended the Michigan DRE School, completing his certification through the International Association of Chiefs of Police. He has been made an expert in the 14A, 14B, and 22nd District Courts in Washtenaw County.

Since 2012, he has worked as a standardized field sobriety instructor with the Wayne County Regional Police, and since 2015, has taught advanced roadside impaired driving to various police officers and prosecutors in Michigan. He was also a DRE instructor in the 2015 and 2016 Michigan DRE School.



Deputy Brian Webb, a Drug Recognition Expert with the Washtenaw County Sheriff's Office, is the POAM's Officer of the Year.

Jessica Riley accepts management position with new MSP division



The OHSP also says good-bye to Planning and Administration Section Manager Jessica Riley, who has accepted a position

with the new Professional Development Bureau's Organizational Development Division as a State Administrative Manager 15 in charge of the Civilian Career Development Section. Jessica has been with the OHSP for 5½ years, moving up from Traffic Records Program Coordinator to become OHSP's Planning and Administration Section Manager.

During her time within the OHSP and the Field Support Bureau, Jessica has worked diligently to help her peers and partners outside the office reach their traffic safety goals. In her new role, Jessica will provide oversight of supervisory and leadership training for civilian employees, executive-level training, career guidance and development, technical skill training, personal development training, online learning, MI-TRAIN, and other programs.

Everyone within the OHSP wishes Jessica all the best in her new position. Her last day was November 26.

OHSP's Spencer Simmons accepts administrator position with Department of Education

Spencer Simmons, Fiscal Section Manager at the OHSP, has accepted a position with the Michigan Department of Education (MDE) as a State Office Administrator 17 in MDE's Financial Management Bureau.

Spencer started state service with the OHSP in 2002 as an accountant, and was promoted to Fiscal Section Manager in 2013.

He has a bachelor of business administration in marketing and accounting from Western Michigan University and a master in business



administration in general business from Davenport University. While at the OHSP, Spencer managed a federally mandated program from the NHTSA, Federal Motor Carrier Safety Administration, and Department of Justice. He also served as financial manager for the Secondary Road Patrol Program, and Michigan Truck Safety Fund, two state-restricted fund grant programs administered by OHSP.

Spencer is an active volunteer in the Greater Lansing area, serving on the boards of directors for Ingham Community Health Centers, Sparrow Specialty Hospital, Thrivent, and Uplift Our Youth.

Spencer's last day with the OHSP was December 10.

Congratulations Spencer!





Michigan stepping up speed enforcement to address increase in fatal crashes

THOUGH MILES TRAVELED ARE DOWN, SPEED-RELATED FATALITIES ARE UP

For more than a year, law enforcement agencies across the nation have reported an alarming rise in speeding and fatal crashes despite a decrease in the number of road miles traveled.

To combat this deadly and dangerous trend, the OHSP announced that more than 100 municipal and county law enforcement agencies, along with the Michigan State Police (MSP), will focus on speeding drivers.

While Michigan has seen a 22 percent reduction in traffic crashes — 245,432 in 2020 compared to 314,377 in 2019 — there has been an increase in fatalities. Crash data from the MSP Criminal Justice Information Center indicates 1,083 people died from crashes on Michigan roads in 2020, a 10 percent increase over 2019, with 985 deaths reported. In 2020, there were 200 speed-related fatalities on Michigan roadways compared to 185 in 2019, an 8 percent increase.

"Despite the fact there have been less miles traveled, the fatality rate rose. And crash data shows that speed may have been a factor in many of these preventable crashes," said Michael L. Prince, OHSP director. "It's no secret the faster you drive, the greater your risk of dying in a crash. We hope increased enforcement over the coming months will help change these dangerous driving behaviors and save lives."

According to the NHTSA, a crash on a road with a speed limit of 65 mph or greater is more than twice as likely to result in a fatality than a crash on a road with a speed limit of 45 or 50 mph. Nationally in 2019, 9,478 traffic fatalities involved crashes in which one or more drivers were speeding.



According to the University of Michigan Transportation Research Institute, in Michigan during 2020:

- Of male drivers involved in all traffic crashes, 6.4 percent were speeding.
- 15.2 percent of motorcycle operators involved in fatal crashes were speeding.
- 11.2 percent of drivers age 15 to 20 involved in crashes (4,650 out of 41,685) were speeding.

• Out of all drivers who were drinking in crashes, 15.1 percent were speeding.

Recent insurance industry studies show that approximately 112,000 speeding tickets are issued each day, or about 41 million per year. The average fine for a speeding violation is between \$115-\$135. The campaign is supported by federal traffic safety funds

OHSP welcomes Chelsea Thelen



Chelsea Thelen is the new Traffic Records Program Coordinator for the OHSP.

Chelsea comes to us from the Michigan

Department of Education, where she was a recoupment specialist in the Child

Development and Care Unit. Chelsea has more than 14 years of experience with the state.

When not working, she has her hands full with three little girls, her husband, and an energetic boxer named Willow.

Welcome Chelsea!!







Staff members from the OHSP and Brogan recently joined the team at Radish for filming of the new RiderCoach recruitment video at Schoolcraft College in Livonia. It was sunny but windy and cool, yet that did not stop the team from getting great footage ... and having some fun too.

Instructors needed for motorcycle rider education classes

In 2021, more than 12,000 people were trained in a Michigan motorcycle rider education class.

There are about 200 RiderCoaches in the state, all who make a difference by helping people learn to ride or acquire new skills. Training sponsors across the state are looking for motorcyclists to become instructors of those classes in 2020.

Instructors, or "RiderCoaches," can earn between \$27 and \$35 per hour working for local training sponsors. The most immediate need for RiderCoaches is at the Grand Rapids Community College and Schoolcraft College/Detroit Metro Consortium range locations.

To become a certified Motorcycle Safety Foundation RiderCoach in Michigan, you must meet the following criteria:

- Be at least 18 years old.
- Have passed a Basic RiderCourse (BRC), the beginning motorcycle class within the last year.
- Have held a motorcycle endorsement for at least one year.
- Possess a good driving record.
- Pass a criminal background check.
- Obtain a sponsorship with an approved public or private motorcycle safety course provider (providers are located throughout the state).
- Successfully complete the RiderCoach Prep Course.

The fee for a RiderCoach Prep Course is

\$75 and includes the materials required for the course. RiderCoach candidates will spend a minimum of 80 hours in the classroom and on the motorcycle riding range. Participants must attend every session, pass a riding-skills test, and pass a knowledge test. They will learn how to effectively instruct and evaluate students in the classroom and on the range and will be required to teach a basic motorcycle safety class under the supervision of an experienced instructor.

In addition to the BRC, the state offers a BRC 2, a Returning Rider Basic RiderCourse, an Advanced RiderCourse (ARC), and a 3-Wheel Basic RiderCourse.

Funding for the training of riders and coaches comes in part from grants administered by the OHSP. In 2021, more than \$60,000 in federal grant funding was spent on training 295 students in 19 ARC classes and training 26 new RiderCoaches in five BRC RiderCoach Prep Sessions.











Students learned about bike safety and how to make it to and from school safety during a recent event at Flint Community Schools. Below, students wheel to school recently near Linden Public Schools. (Photos courtesy of Sara Martin, Michigan Department of Transportation)

"Safe Routes to School" helps school districts with student safety issues

Students are often walking and biking to school in the dark, whether before or after school, and that can pose safety issues.

"Safe Routes to School" (SRTS) offers programs and grants to schools that make it safe, convenient, and fun for students to walk, roll, and bike to school at all times of day and in all types of weather.

In Michigan, the program is managed by the Michigan Department of Transportation (MDOT) and administered by Michigan Fitness Foundation (MFF). Through funding from MDOT, MFF offers two SRTS program grants to communities — a major grant, and a mini-grant.

The SRTS major grant offers a comprehensive action-planning process for

eligible schools and communities that includes surveys, walking audits, and community input that identifies barriers and solutions for students walking and biking to school. Once the action-planning process is complete, the next step is to apply for funding to improve the walking and biking infrastructure and provide encouragement and education programs.





The mini-grant program offers funding to schools that encourage and educate students to walk or bike to school.

In addition to the grants, SRTS also manages Walk to School Day and Bike to School Day events across the state.

Communities interested in learning more about SRTS grant opportunities, programs, and events are encouraged to visit saferoutesmichigan.org.







Free publication helps Michigan aging drivers and their families

Michigan now has 1.2 million drivers 65 years old or older—and that number is growing.

By 2025, one in five drivers is expected to be 65 and above.

Older drivers want to maintain their independence, and for many that means continuing to drive. By using smart self-management techniques to review their driving skills, older drivers can keep driving longer while limiting risks to themselves and others.

Michigan's Guide for Aging Drivers and Their Families was developed to improve older-driver safety by providing aging drivers as well as their families and caregivers with information about the licensing process, resources that help maintain safe driving, suggest alternative transportation options and more. It helps aging drivers maintain their driver's license for as long as it is safe for them and other road users.

The guide was developed through a collaborative partnership with the MDOT, the OHSP, AAA Michigan, and the Secretary of State's Office.

TO OBTAIN A SINGLE COPY OR A FEW:

- 1. Download a PDF copy by clicking here.
- Email the Michigan Department of State, Traffic Safety Section at <u>TrafficSafetysos@Michigan.gov</u>. In the subject line, include the name of the publication—**Michigan's Guide for Aging Drivers and Their Families** (SOS-194). In your message, include how many copies you would like, your name, organization if applicable, and complete mailing address.

TO OBTAIN 50 COPIES OR MORE:

Email the Michigan Department of State, Inventory Services Section at SOSInvControl@michigan.gov. In the subject line, include the name of the publication—Michigan's Guide for Aging Drivers and Their Families (SOS-194). In your message, include how many copies you would like, your name, organization if applicable, and complete mailing address. Note this publication is packaged 50 per box.

To learn more about Safe Drivers Smart Options: Keys to Lifelong Mobility please visit Michigan.gov/AgingDriver

New distracted driving brochure available

A new Distracted Driving brochure has been produced by the OHSP and is also available in Arabic and Spanish versions.

The new publication replaces the "Thumbs on the Wheel flyer" and features a tear-off panel for educational purposes that includes a summary of potential distractions and how to avoid them. The brochure was designed to appeal to a younger audience, yet it is still applicable to all drivers.

The free brochure can be ordered through the OHSP's Traffic Safety Materials Online Catalog by using the following information: #3000 Distracted Driving brochure; #3001 Distracted Driving brochure – Arabic; and #3002 Distracted Driving brochure – Spanish.







PAAM EXAMINES "BE ON THE LOOKOUT" CALLS

What Michigan law enforcement needs to know about "BOL" calls

By Kinga Canike and Kenneth Stecker

In Michigan, it's common for operating while intoxicated investigations to begin with a 911 call. These calls are commonly referred to as "Be on the Lookout" (BOL) calls.

This year, the Michigan Supreme Court (MSC) published an important case on investigatory stops that involve BOL calls. It is very important that law enforcement be familiar with this case since it will impact how they handle investigatory stops based on BOL calls.

In *People v. Pagano*, the MSC had to decide whether a police officer had legal grounds to stop a vehicle to investigate a possible drunk driver based on information provided by an anonymous caller to 911.¹

In July 2016, a person called 911 to report what they believed was a possi-

ble female drunk driver. The caller provided the make, model, color, and license plate, as well as the direction in which the vehicle was traveling. Other information relayed by the caller was that the female was outside of her vehicle, yelling at her children, "appearing to be

obnoxious," and "appear[ing] to be intoxicated." The caller believed the female's intoxication "was causing her behavior... with the children." This information was conveyed through dispatch, and within 30 minutes, a Huron County law enforcement officer observed a vehicle matching the description. The officer followed the vehicle for a short period to corroborate that it matched the description provided by dispatch and then made an investigatory stop. The officer did not witness any traffic violations in the short period he followed the vehicle. The female driver was eventually

arrested for, and charged with, operating while intoxicated with a child passenger and open intoxicants in vehicle.³

In district court, the defendant argued that the traffic stop was unlawful and that any evidence obtained because of the stop should be suppressed. The court held a hearing in which the officer testified to the stop. No other evidence was admitted, including the recording of the 911 call. The district court sided with the defendant, and ultimately, the issue went to the state's highest court.⁴

In its analysis, the MSC first stated that the proper legal standard for determining the legality of a brief investigative traffic stop is reasonable and articulable suspicion to believe that a person may be engaged in criminal activity. This inquiry is fact-specific and decided on a case-by-

> case basis. Further, the MSC held that an anonymous tip may be reliable enough for an investigative stop if sufficiently corroborated.⁵

Applying this analysis to the facts in this case, the MSC ruled that the officer did not have the reasonable and articulable suspicion

required to make an investigatory stop based on the information provided by the anonymous caller. The MSC held that an anonymous tip must not only reliably identify the vehicle involved but also be reliable in its description in the suspected criminal activity.

In this case, the MSC found that what the anonymous caller described was nothing more than a hunch that the defendant may be intoxicated, which does not amount to reasonable and articulable suspicion.⁶ Justice Brian Zahara stated in his concurring opinion, "[B]eyond these facts, the officer's testimony tells us nothing more about why the caller or the officer suspected that defendant was driving while intoxicated."⁷

When dealing with investigative stops that involve BOL calls, it is important to also discuss the U.S. Supreme Court case of Navarette v. California.8 In Navarette, an anonymous caller to 911 reported that she was run off the road by a vehicle. The caller gave dispatch the make, model, color, and license plate number of the vehicle involved, as well as the direction in which the vehicle was heading, and the mile marker where this had occurred. This information was put out by dispatch, and approximately 18 minutes later, a California Highway Patrol officer observed a vehicle matching the description. The officer stopped the vehicle despite not witnessing any erratic driving himself. Thirty pounds of marijuana was recovered from the trunk bed, and both the driver and passenger were subsequently arrested.9

The Supreme Court of the United States (SCOTUS) ruled that the 911 call contained sufficient indicators of reliability for the officer to be able to rely on the caller's version of the facts. Therefore, the officer had the required reasonable suspicion to justify the traffic stop to further investigate a possible drunk driver.¹⁰ Justice Clarence Thomas, who wrote the opinion, stated as follows: "[A] driver's claim that another vehicle ran her off the road, however, necessarily implies that the informant knows the other car was driven dangerously."¹¹

Here lies the key difference between these two cases. Unlike in *Navarette*, the caller in *Pagano* reached the conclusion that the defendant may have been

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¹ People v. Pagano, Case No. 159981, Decided on April 22,

^{2021.}

² People v. Pagano, Case No. 159981, Decided on April 22, 2021 (Zahara J. concurring opinion) at 2.

³ Pagano at 2.4 Id. at 2-3.

⁵ Id. at 4-5.

⁶ Id. at 5-6.

⁷ Pagano (concurring opinion) at 2.

⁸ Navarette v. California, 572 US 393; 134 S Ct 1683; 188 L Ed 2d 680 (2014).

⁹ Id. at 395.

¹⁰ Id. at 398-399.

¹¹ Id.



OHSP urges caution on roadways as winter season begins

As snow begins to fall in some areas of the state, the OHSP is reminding drivers to slow down and use caution when traveling on slick and snow-covered roads.

During the 2016 to 2020 winter seasons, there were a total of 202,232

winter-related crashes reported in Michigan, involving 360,395 people, according to the University of Michigan Transportation Research Institute. These crashes resulted in 370 fatalities and 2,530 suspected serious injuries.

"The goal of the *Drive Slow on Ice & Snow* campaign is to save lives and decrease the number of serious injuries on Michigan roadways," said Michael L. Prince, OHSP

director. "For months, people have driven on mostly dry surfaces, so now is the time to remind everyone that driving in wintry conditions is hazardous. Drivers must take charge of their vehicles to ensure their safety and the safety of others." The OHSP's winter driving safety outreach includes an informative website packed with snow-related tips and useful resources. When drivers visit www.michigan.gov/WinterDriving, they can find advice addressing a wide range of cold-

DRIVE SLOW ON ICE & SNOW

weather challenges, including planning a safe route, how to control their vehicle, what to do in an emergency, passenger safety, tire tips and more.

The OHSP also is sending *Drive Slow on Ice & Snow* banners and posters to more

than 600 traffic safety partners throughout the state to promote winter driving safety in their communities.

Of the 370 people who lost their lives in 332 fatal crashes, 86.5 percent of the fatalities were in the Lower Peninsula

and 13.5 percent in the Upper Peninsula — despite representing just 5.9 percent of winter crashes statewide.

"It's a sad fact that when winter storms arrive, fatalities and serious injuries on ice and snow-covered roads are soon to follow," Prince said. "The high fatality rate in the Upper Peninsula is especially disturbing since 97 percent of Michigan residents live in the

Lower Peninsula.

"We encourage everyone to reduce their speed when driving on slick surfaces and leave plenty of space between vehicles."

The *Drive Slow on Ice & Snow* campaign is supported by federal traffic safety funds.

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intoxicated because she was yelling at her kids and acting obnoxious. The MSC held this was "little more than a conclusory allegation of drunk driving, which is insufficient to pass constitutional muster." In *Navarette*, the reasonable suspicion that the defendant may have been driving under the influence was based on the 911 caller's description of being run off the road, a driving behavior the SCOTUS held was strongly correlated with drunk driving.

Based on the ruling in *Pagano*, it is imperative now for law enforcement responding to a BOL call that may involve a possible drunk driver to have sufficient information to support a lawful investigatory stop. That information includes not only a reliable description of the vehicle but also the specific driving behavior

associated with drunk driving. A great resource that lists these common drunk-driving behaviors that was also referred to by the *Navarette* court is the *Visual Detection of DWI Motorists* put out by the NHTSA.¹³ It is a list of driving patterns strongly correlated with drunk driving with which all law enforcement officers involved in impaired driving investigations should be familiar.¹⁴

In conclusion, BOL calls are an important tool in helping investigate potentially dangerous drivers. The *Pagano* decision should not deter law enforcement from moving forward on these calls. It is only a reminder to always make sure that there is reasonable suspicion to support the traffic stop. Justice Zahara reminds us of this when he wrote in his concurring opinion

13 Navarette at 402.

14 https://www.nhtsa.gov/sites/nhtsa.gov/files/808677.pdf

as follows: "[E]ven so, I encourage citizens to continue to report their suspicions of drunk or impaired driving, urge police officers to remain vigilant in protecting our state's highways, and implore prosecutors to use all available evidence to ensure that an accurate and complete record is developed." ¹¹⁵

Views expressed in this article are solely those of the authors. Please consult your prosecutor, local counsel, or commanding officers if you need any further guidance on anything discussed in this case or before changing procedure based on this article. For more information on the Prosecuting Attorneys Association of Michigan (PAAM) Traffic Safety Training Program, contact Kenneth Stecker or Kinga Gorzelewski Canike at steckerk@michigan.gov or canikek@michigan.gov.

402.

15 Pagano (concurring opinion) at 5.



12 Pagano at 7.



"DRIVE SOBER OR GET PULLED OVER"

Officers took 200 impaired drivers off roads in late-summer campaign

Law enforcement officers from 102 police departments, sheriff offices and MSP posts recently increased patrols across the state during the end-of-summer *Drive Sober or Get Pulled Over* enforcement campaign that ran from August 16 to September 6.

Preliminary reports indicate officers made 10,370 traffic stops and arrested 200 impaired drivers, including 166 for Operating While Intoxicated (OWI) and 34 for Operating Under the Influence of Drugs. The stops also resulted in 370 seat belt citations; 35 child restraint violations (age 7 and below); 2,417 speeding citations; 846 other moving violations; and 1,122 other non-moving violations, as well as 807 misdemeanor arrests and 167 felony arrests.

"Motorists were asked to make responsible decisions as they celebrated the end of summer and the Labor Day holiday weekend," said Michael L. Prince, OHSP director. "If you are impaired by any substance you shouldn't drive, which puts yourself and others at risk. There are no excuses."

In Michigan, it is illegal to drive with a blood alcohol concentration (BAC) of .08 or higher, although motorists can be arrested at any BAC level if an officer believes they are impaired. Michigan's drunk driving law contains a zero-tolerance provision for drivers with certain illegal drugs in their system. The same penalties for drunk driving also apply to those convicted under the zero-tolerance drug provision.

During the enforcement campaign, the Ottawa County Sheriff's Office reported an OWI arrest of a female driver whose arrest included four child-endangerment charges since her four children were also in the vehicle. Officers also stopped numerous speeding drivers, including one for traveling 105 mph in a 55-mph zone.

In an incident in Macomb County, an OWI arrest included a drunk driver who hit a house and fled, then struck a parked car and fled again before driving into a pole.

The *Drive Sober or Get Pulled Over* campaign is supported with federal traffic safety funds and is coordinated by the OHSP.

Staff Q&A: Nancy Feldbush

Nancy has been in the "words and pictures" business her entire career. She joined the OHSP's Communication Section in May of this year, after leaving the Historical Society of Michigan, where she was editor in chief of *Michigan History* magazine. Before that, she worked in communications at a credit union and a law firm. She is a proud "mom" of a clowder of cats and a polar bear of a dog named Indiana Jones, or Indy.

What do you like most about your job? I appreciate when I can use my skills to help convey messages that matter. The OHSP gives me the chance to do that every day.

What are you most proud of at work?

I am so happy to say that the OHSP's

Annual Report is nearly complete.

Helping produce this publication may



have kept me up a few nights, but I am so grateful to have been a part of the team effort!

What are your interests or hobbies?

I enjoy hiking the outdoors and walking my dog; putting pen to paper and brush

to canvas; exploring history, especially the Victorian Era; and creating jewelry out of found items.

What personal achievement are you most proud of?

I am proud of my two historical novels. It took a year to research and a year to write each one. Finishing them was a miracle. Seeing them in print is a dream come true.

What's your favorite vacation spot?

I love going above the 45th parallel in Michigan. Outside of Michigan, it would be Hawaii.

What's something people don't know about you?

I have been a vegetarian for most of my life.

